

CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

O.A.210/00187/2018

Dated this Friday the 24th day of January, 2020.

Coram: Dr.Bhagwan Sahai, Member (Administrative).

Kanwal Jit Singh,
Resident of C 603, Mithras Park,
Rahatani Road, Pimple Saudagar,
Pune - 411 027 - Legal Heir of
Late Mr. Inder Singh, Retired
DSE/Firozpur, Northern Railway-Grade A-
Selection Grade / Senior Scale Position.
.. Applicant.

(In Person).

Versus

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi - 110 001.
2. The Secretary,
Railway Board,
Rail Bhavan, Raisina Road,
New Delhi - 110 001. .. Respondents.

(By Advocate Shri R.R. Shetty).

Order reserved on : 07.01.2020
Order delivered on : 24.01.2020.

O R D E R

Shri Kanwal Jit Singh, resident of C-603,
Mithras Park, Rahatani Road, Pimple Saudagar, Pune
has filed this O.A. on 04.01.2018. He is the legal
heir (son) of late Shri Inder Singh who had retired
in 1974 as Divisional Superintending Engineer from
office of Divisional Railway Manager, Firozpur Dn,
Northern Railway, Firozpur, Punjab.

He has sought -

- (i). revision of basic monthly pension (Rs.6000/-) of late Shri Inder Singh from 01.01.1996 to 21.11.1996 (PPO No.0174010022) as per provisions of Para 4.1 of Department of Pension and Pensioners' Welfare OM dated 27.10.1997 read with DOP&PW OM dated 10.02.1998;
- (ii). interest @ GPF rate + 2% on the total value of life time arrears from 01.08.1999 till date of payment, to be paid to his nominee Mrs.Irvinder Kaur through Punjab National Bank, Green Park, New Delhi;
- (iii). this payment from Respondent No.1 (General Manager, Northern Railway, Baroda House, New Delhi) within six weeks of receipt of order of this Tribunal, failing which interest should be paid @ 18% p.a.;
- (iv). interest on delayed payment of lifetime arrears of Rs.87,655/- from 07.04.2003 till 03.11.2014 and on Rs.1,46,595/- from 01.08.1999 till 01.06.2016; and
- (v). damages of Rs.1 lakh under tort for negligence of respondents.

The applicant and the counsel for the respondents were heard on 01.10.2019 and 07.01.2020.

2. Summarized facts :

- 2(a). The applicant has stated that his father Late Shri Inder Singh had joined service with the Northern Railway on 16.09.1935. While working as

Divisional Superintending Engineer with DRM Firozpur, Punjab he retired on 30.04.1974 and sanctioned pension from 01.05.1974.

2(b). Late Shri Inder Singh was indisposed during last few years of his life and his life certificate due in November, 2001 and November, 2002 were not submitted to the pension disbursing authority. He expired on 21.11.2002 at Mumbai and his death certificate was submitted by his daughter on 07.04.2003. Thereafter arrears of his father's pension upto November, 2002 were paid on 03.11.2014.

2(c). After retirement late Shri Inder Singh had shifted his residence from Patiala to Mohali in 1996 and then to Mumbai in 1997. He had transferred his pension account from Mohali to New Delhi, where his daughter and son-in-law were having Bank account. But he did not get his pension account transferred to Mumbai as that would have involved change of Zonal Railway. Revision of pension in terms of DOP&PW OMs dated 10.02.1998 and 17.12.1998 was not known to Shri Singh during his lifetime.

2(d). During follow-up for payment of lifetime arrears of his father, the applicant came to know that late Shri Inder Singh had submitted an application on 13.04.1998 for revision of his pension as per 5th CPC recommendations and PPO No.0174010022 dated 03.07.1999 after revision of pension without correcting the address as per his application was

sent to the earlier pension disbursing authority (State Bank of Patiala) (not to the subsequent pension disbursing authority Punjab National Bank, Green Park, New Delhi) and to the pensioner at his old residential address in Patiala (not at his then current address in Delhi or Mumbai). The present applicant came to know about it in June, 2013 when he received a copy of the PPO on 23.12.2013 and thereafter he has been continuously pursuing the case with the respondents including his applications submitted to them under the provisions of RTI Act.

2(e). Then he submitted a request on 06.09.2014 to Member (Staff) of Railway Board and on 24.11.2014 to General Manager, Northern Railway for revision of basic monthly pension of his father from Rs.6000/- to Rs.7150/- [para 4.10(iii) and para 5.1 of OA]. He further followed it up including complaint with the Public Grievances Officer of the Northern Railway. Except one issue in his complaint, without resolving other issues the matter was closed by the respondents on 14.03.2016.

2(f). The applicant served notice on the respondents on 04.07.2016 indicating that he would initiate judicial proceedings if his application was not decided, for revision of basic monthly pension of his father Shri Inder Singh from 1999 and for payment of interest on delayed payment of lifetime arrears of pension. Thereafter payment of delayed lifetime

arrears has been rejected by the respondents on 06.12.2017. Therefore, this O.A. has been filed.

3. Contentions of the parties :

In his submissions, the applicant has contended that -

3(a). from 01.05.1974 (on his retirement on 30.04.1974), his father late Shri Inder Singh was a pre-1986 pensioner under 5th CPC recommendations and his pension was revised twice, first as per instructions of DOP&PW OM dated 17.10.1998 fixing the basic monthly pension as Rs.4617/- and then again revised to Rs.6000/- by the Northern Railway Headquarters on 03.07.1999 as per DOP&PW OMs dated 10.02.1998 and 17.12.1998. But the second revision of his pension was not correct as detailed working provided by Respondent No.1 on 20.06.2017;

3(b). the Railway Board letter dated 25.02.1988 notified new pay scale for selection grade of Indian Railway Service Engineers (IRSE) officers and senior scale IRSE appointees were placed in the scale of Rs.4500-5700 with effect from 01.01.1986. As per DOP&PW OMs dated 10.02.1998, 17.12.1998 and 11.05.2001, instructions for revision of pension of pre-1986 pensioners were issued;

3(c). the Apex Court decisions in case of **K.S. Krishnaswamy etc. Vs. Union of India & Anr.** in Civil Appeal No.3174 of 2006 dated 23.11.2006 clarified that DOP&PW OM dated 11.05.2001 was only a

clarification about equivalent scale of pay at the time of retirement. The Supreme Court decision in case of K.S. Krishnaswamy did not consider the impact of instructions of DOP&PW OM dated 10.02.1998 i.e. the provisions for placing pre-1986 retirees on par with post-1986 retirees (Para 2). The OM dated 17.12.1998 had only modified the last sentence of Para 2 of OM dated 10.02.1998, hence the matter is res-integra. Considering all three DOP&PW (OMs dated 10.02.1998, 17.12.1998 and 11.05.2001), it is clear that a minimum level of pension has been stipulated on refixation and notional fixation of previous pay scale is not to result in enhancement of previous years pension.

Based on this, late Shri Inder Singh was entitled for revision of his pension from Rs.6000/- to Rs.6178/- from 01.01.1996.

3(d) (i). Article 366(17) of the Constitution defines pension to include gratuity. Therefore, what is applicable to a segment of the pension would also be applicable to other parts of pension.

3(d) (ii). In Apex Court decision dated 08.01.2008 in case of S.K. Dua Vs. State of Haryana (in Civil Appeal No.184/2008) it was held that in the absence of departmental or administrative instructions, interest is payable on delayed payment of pension.

3(d) (iii). Apex Court decision dated 01.08.2014 in case of D.D. Tewari (D) thru Lrs Vs. Uttar Haryana

Bijli Vitran Nigam Ltd. & Ors. in Civil Appeal No.7113 of 2014 has provided for payment of penal interest on delayed payment of gratuity.

3(d) (iv). Apex Court decision dated 25.10.2017 in case of **Suresh Kumar Wadhwa Vs. State of MP and others in Civil Appeal No.7665/2009** has held that with reference to a private person, the State should not emphasize on technicalities if the claim is just.

3(d) (v). The Apex Court decisions dated 05.08.2005 in case of **Jacob Mathews Vs. State of Punjab & Anr.**, tortuous liability has been covered for negligence.

3(d) (vi). As cited in Apex Court decision dated 01.05.2012 in case of **General Officer Commanding Vs. CBI & Anr. [2012] 5 SCR 599-600**, obligation of a public servant to perform his duty according to expectation of office and nature of post forms good faith.

3(e). claim of the respondents about ineligibility of late Shri Inder Singh for revision of pension based on the revised pay scale of Rs.14300-18300/- under the 5th CPC is misplaced and abuse of the process of this Tribunal because in this O.A. (amended) the applicant has not sought revision of pension based on the revised pay scale of Rs.14300-18300/-. The revision of pension has been sought from Rs.6000/- to an appropriate level of eligibility as defined by rules i.e. based on Para 2 of DOP&PW OM dated 10.02.1998.

It is correct that the applicant had filed an application on 24.11.2014 for revision of pension based on the above mentioned pay scale as per DOPT OM dated 29.12.2010 but the respondents did not reply to his claim before filing of this O.A. However, after examining the Apex Court decision in case of S.R. Dhingra, the applicant has revised his claim in this O.A. to seek revision of pension from Rs.6000/- to Rs.6178/- or an appropriate amount as per rules and regulations and accordingly the O.A. has been amended. Since the respondents have not contested this issue in the additional affidavit of reply, this should be considered as deemed acceptance of the claim made in this OA;

3(f). the claim of the respondents in the additional affidavit that late Shri Inder Singh superannuated in the pay scale of Rs.1100-1600 under the 3rd CPC is also not correct. As per documents supplied by the Personnel Department of Northern Railway, late Shri Inder Singh had been placed in the pay scale of Rs.1500-2000;

3(g). the submission of the respondents in the additional affidavit that the applicant has claimed pay scale of the post which late Shri Inder Singh did not occupy during his lifetime and the pension was revised as per the replacement scale of pay, i.e. Rs.14300-18300 is not correct. The applicant's father was in service till 30.04.1974 and the present

applicant was never in service of the Indian Railways and in the O.A. he has not made any such claim of service with the Railways;

3(h). because of introduction of concept of One Rank One Pension as per DOP&PW OM dated 10.02.1998 for pre-1986 pensioners, this concept has been used in the present O.A. for claiming the pensionary benefit of his father. The pay scale of Rs.2000-2500/- was not available in 1974 under the 3rd CPC, it was created sometime later. The corresponding pay scale of Rs.4700-5700/- for the post of senior scale was granted to IRSE officers in 1988 with effect from 01.01.1986. The applicant's father was also in the same grade at the time of his retirement and, therefore, the provisions of Para 2 of DOP&PW OM dated 10.02.1998 were applicable to his case;

3(i). the claim of the respondents that Rs.87,655/- were paid to the applicant in 2013 and Rs.1,46,595/- were paid in 2015 is also not correct. Rs.87,655/- of lifetime arrears (Part-I) were paid on 03.11.2014 and Rs.1,46,595/- (Part-II of lifetime arrears) were paid on 01.06.2016 as sanction of the lifetime arrears by the competent authority of Respondent No.1 was conveyed vide letter dated 22.01.2016. Therefore, while filing of the present O.A. on 04.01.2018, the period of limitation had not expired.

3(j). the pay scale of Divisional Superintending

Engineer or Sr.Divisional Engineer was revised to Rs.4500-5700/- from 01.01.1986 as per 4th CPC and based on this revision read with Para 2 of DOP&PW OM dated 10.02.1998, with addition of one increment the revised pension of late Shri Inder Singh works out to Rs.6178/-. Since this working out of revised pension has not been denied by the respondents, there is implied consent of the respondents to this revision;

3(k). Rs.87,655/- not paid to the applicant because of non-submission of life certificate of late Shri Inder Singh for the period from 01.11.2000 to 21.11.2002 have been paid on 03.11.2014 i.e. with a delay of more than 11 years and, therefore, interest on this delayed payment from 07.04.2003 to 03.11.2014 should be paid to him.

The amount of Rs.1,46,595/- for revision of pension from July, 1999 was paid on 01.06.2016, it was not linked to submission of life certificate and it has been paid after 17 years for which interest should be paid to the applicant. This long delay also reinforces the claim of malice in law against the respondents.

In the reply and during arguments of their counsel the respondents contend that -

3(1). the applicant is seeking revision in pension of his father late Shri Inder Singh from Rs.6000/- to Rs.7150/- along with interest on the life time arrears not paid on time. At the time of retirement

on 30.04.1974, late Shri Inder Singh was in the pay scale of Rs.1100-1600 (3rd CPC) which was revised to Rs.3700-5000/- from 01.01.1986 under the 4th CPC and to Rs.12000-16500/- with effect from 01.01.1996 under the 5th CPC. Based on the last pay scale i.e. Rs.12000-16500/- his pension was revised in PPO No.0174010022 dated 30.07.1999 to Rs.6000/- per month. The applicant has contended that the pay scale of the post as held by late Shri Inder Singh during his service time has got revised to pay scale of Rs.12000 to 16500/- from 01.01.1996. However, late Shri Inder Singh actually did not draw any emoluments in the pay scale of Rs.14300-18300/- and, therefore, the question of granting him pension based on that pay scale does not arise. In view of Apex Court decision in case of K.S. Krishnaswamy etc. and others Vs. Union of India, (2006) 13 SCC 315 (copy at Annex-R-1);

3(m). as admitted by the applicant, lifetime arrears of Rs.87,655/- and Rs.1,46,595/- were paid to the applicant in 2013 and 2015. The pensioner was duty bound to submit lifetime certificate but he failed to submit which has resulted in delay in payment of lifetime arrears and, therefore, no interest is payable on those arrears. There is no provision for payment of interest on lifetime arrears due to non-submission of lifetime certificate by the pensioner.

Since this demand of the applicant at belated stage is a claim for payment of interest on money is grossly barred by limitation and, therefore, the O.A. should be dismissed on this ground;

3(n). as the applicant is neither the pensioner nor family pensioner, for such a claim as a tort he can make only through a Civil Suit and not in the O.A.;

3(o). the PPO No.0174010022 dated 30.07.1999 was sent to the concerned bank and to the pensioner on the address available in the office record of the respondents. In pursuance to his applications under the RTI Act, he was allowed and he inspected on 27.07.2015 the service record related to late Shri Inder Singh. Since the applicant had already retired during implementation of pay scales recommended by the 3rd CPC and he did not draw emoluments in the pay scale of Rs.14300-18300/- under the 6th CPC pay scales, pension of late Shri Inder Singh cannot be revised to an amount higher than Rs.6000/- per month;

3(p). the Apex Court decision dated 23.11.2006 in case of K.S. Krishnaswamy etc Vs. Union of India and another in Civil Appeal No.3174/2006 has held that to remove confusion for smooth and efficient implementation of the policy resolution, the Government of India issued further executive instructions by way of OM dated 11.05.2001 clarifying the executive instructions issued on 17.12.1998. The

second sentence of OM dated 17.12.1998 - pension of all pensioners irrespective of their date of retirement shall not be less than 50% of the minimum pay in the revised scale of pay with effect from 01.01.1996 of the post last held by the pensioner shall mean that pension of all pensioners irrespective of their date of retirement shall not be less than 50% of the minimum of the pay scale as on 01.01.1996, corresponding to the scale of pay held by the pensioner at the time of superannuation or retirement. Therefore, the contention of the then applicant in the Civil Appeal that the OM dated 11.05.2001 overwrites the original OM dated 17.12.1998 thereby creating two classes of pensioners is absolutely ill-founded and untenable. Thus the clarificatory executive instructions in OM dated 11.05.2001 are an integral part of the OM dated 17.12.1998, clarifying the policy resolution of the Government dated 30.09.1997 and do not overwrite the original OM dated 17.12.1998. In view of this settled position, the O.A. should be dismissed.

4. Analysis and conclusions:

4(a). I have considered the O.A. along with its amendment and its annexes, rejoinder filed by the applicant, additional submissions filed by him with reference to the reply of the respondents and arguments of the applicant on 01.10.2019 as well as reply/additional reply filed by the respondents and

argument of their counsel on 01.10.2019 and caselaws cited by the parties. After considering these rival submissions of the parties, the case is analysed as follows:

4(b). The undisputed facts in the case are these. The father of the present applicant i.e. late Shri Inder Singh had joined service of the Railways on 16.09.1935; while working as Divisional Superintending Engineer with D.R.M. Ferozpur, Punjab under the Northern Railway, he retired on 30.04.1974 and was sanctioned pension from 01.05.1974. He did not submit his lifetime certificate to the Pension Disbursing Authority which was due in November, 2001 and November, 2002. He expired at Mumbai on 21.11.2002 and his death certificate was submitted to the respondents by his daughter on 07.04.2003.

4(c). There are three main issues covered under reliefs sought in the present O.A. The first is upward revision of pension of late Shri Inder Singh in July, 1999 with effect from 01.01.1996 on the basis of implementation of 5th CPC recommendations. The second issue is the applicant's claim for payment of interest on delayed payment of lifetime arrears of pension of late Shri Inder Singh. The third issue pertains to the applicant's claim of damages of Rs.1 lakh under tort for negligence of the respondents in settling his case.

4(d). The applicant contends that after a series

of representations/applications, including those under the provisions of RTI Act, he received the last reply from the respondents dated 06.12.2017 in response to his RTI application informing him that there is no provision for payment of interest on the lifetime arrears as those lifetime arrears arose due to non-submission of life certificate by the pensioner. The pension of late Shri Inder Singh was stopped by the Bank (pension disbursing authority) and not by the Railways due to non-submission of life certificate by the pensioner, as such the pensioner was at fault and not the Railways (Annex-A-12F). In view of that reply in filing of the O.A. on 14.01.2018, it was not barred by limitation. However, the respondents contend that the O.A. has not been filed by the pensioner or family pensioner and also it has been filed in January, 2018 claiming arrears of revised pension from 1999 and after receipt of lifetime arrears of late Shri Inder Singh by the applicant on 03.11.2014 and 01.06.2016. Therefore, it is barred by limitation.

4 (e). From these facts it is clear that after receipt of lifetime arrears of late Shri Inder Singh by the applicant on 03.11.2014 and 01.06.2016, if the applicant was not satisfied with the amount received, the cause of action for filing the O.A. arose at that time i.e. latest in June, 2016. Therefore, as provided under Section 20 of the Administrative

Tribunals Act, 1985, he should have approached the Tribunal within one year from that time i.e. by January, 2017. But the O.A. has been actually filed in January, 2018. Thus obviously there is delay in filing of the present O.A. The applicant has not filed any application for condoning the delay, contending that there is no delay in approaching the Tribunal because of the last reply under the RTI received by him in December, 2017. Since the present case pertains to claim of revision of pension of late Shri Inder Singh from July, 1999 and payment of interest on the delayed payment of lifetime arrears, in my view it would be justified to condone the delay in filing of the present O.A.

4 (f). The applicant seeks revision of pension of late Shri Inder Singh on 01.01.1996 from Rs.6000/- per month to Rs.6178/-. For this he has relied mainly on the stipulations under the DOP&PW OM dated 10.02.1998, which was issued for implementing Government's decisions on recommendations of the 5th CPC for revision of pension of pre-1986 pensioners/family pensioners. Since late Shri Inder Singh had retired on 30.04.1974, he was pre-1986 pensioner.

These instructions of the Department of Pension and Pensioners Welfare were only continuing/clarificatory instructions on the subject and as held by the Apex Court in the judgment in case

of K.S. Krishnaswamy, they were proper and correct. The respondents have correctly revised the pension of late Shri Inder Singh from 01.01.1996 as per 50% of the corresponding revised pay scale applicable to the case.

4(g). In para 2 of the OM dated 10.02.1998 it was stipulated that pay of all those Government servants who retired prior to 01.01.1986 and were in receipt of pension as on 01.01.1986, will be fixed on notional basis in the revised scale of pay. Subsequently as per OM of DOP&PW dated 17.12.1998 related to implementation of Government's decision on recommendations of 5th CPC relating to retirement benefits, it was stipulated that with effect from 01.01.1986, pension of all pensioners irrespective of the date of retirement shall not be less than 50% of the minimum pay in the revised pay scale introduced from 01.01.1996 of the post last held by the pensioner.

4(h). In subsequent instructions in DOP&PW OM dated 11.05.2001, the clarification was issued that pension of all pensioners irrespective of their dates of retirement shall not be less than 50% of the minimum of the pay scale as on 01.01.1996, corresponding to the scale of pay held by the pensioner at the time of superannuation/retirement.

This means when the pension of late Shri Inder Singh was revised from 01.01.1996, his revised

pension was not to be less than 50% of the corresponding scale of pay effective from 01.01.1996 i.e. Rs.12000-16500/-.

In the present O.A. the applicant has not disputed the corresponding scale of pay revised from 01.01.1996 i.e. Rs.12000-16500/-. However, he seems unable to note the distinction between refixation of pay as per revised pay scale of serving employees and revision of pension of earlier retired employees. He seems to believe that while revising the pension of late Shri Inder Singh, as 50% of the minimum of the corresponding revised pay scale, weightage of one increment should also have been given which would have resulted in the amount of revised pension as Rs.6178/- instead of Rs.6000/- per month.

However, this contention of the applicant is not correct and it cannot be accepted. There is no concept of increments for pensioners. When the pension of late Shri Inder Singh was revised from 01.01.1986, only 50% of the corresponding revised pay scale i.e. Rs.12000-16500/- was to be his revised pension which has been correctly done by the respondents. That action taken by the respondents is correct.

4(i). With reference to the second issue i.e. payment of interest on delayed release of lifetime arrears of late Shri Inder Singh, the contention of the respondents that the present applicant being neither the pensioner nor family pensioner, he is not

entitled for payment of any interest on the lifetime arrears as a tort. However, this stand of the respondents is only partly correct. The fact is that the life certificates of late Shri Inder Singh due in November, 2001 and 2002 were not submitted to the respondents. These two life certificates were never submitted to the respondents during lifetime of late Shri Inder Singh and only his death certificate was submitted by his daughter on 07.04.2003.

Therefore, the delay upto that time was certainly on the part of late Shri Inder Singh himself and the present applicant/his sister. Because of this delay on the part of the pensioner late Shri Inder Singh and the present applicant, the respondents cannot be held liable for payment of any interest on the life time arrears of late Shri Inder Singh upto 07.04.2003. Even after submission of the death certificate of late Shri Inder Singh in April, 2003, because of very old nature of the case, a taking time of about six months in processing the case was reasonable for the respondents. Hence payment of interest on further delay in payment of the lifetime arrears can be justified only after October, 2003. As per Apex Court judgment dated 08.01.2008 in case of S.K. Dua Vs. State of Haryana and others in Civil Appeal No.8530/2009, interest on delayed payment of lifetime arrears of pension can be

claimed under Articles 14, 19 and 21 of the Constitution, even not as a tort.

Since the respondents released the payment of lifetime arrears of late Shri Inder Singh only in November, 2014 and January, 2016, the respondents are liable to be held accountable for payment of interest on the delayed release of the lifetime arrears of late Shri Inder Singh. In my opinion, payment of such interest by the respondents for the intervening period i.e. from November, 2003 till the payment of lifetime arrears Part-I in November, 2014 and Part-II in January, 2016, @ 8% per annum will be justified.

4(j). As regards the third claim of the applicant for payment of damages of Rs.1 lakh for delay in processing the case of lifetime arrears of late Shri Inder Singh, it is relevant to take into account the full background of the case. As admitted by the applicant himself that after his retirement late Shri Inder Singh first settled at Patiala, from there he shifted to Mohali in 1996 and from there to Mumbai in 1997. But he got transferred his pension account from Mohali to New Delhi only and not to Mumbai. He never submitted his lifetime certificates to the Pension Disbursing Authority which were due in November 2001 and November, 2002. The only relevant document submitted by the applicant / his sister was the death certificate of late Shri Inder Singh in April, 2003. Thus there was failure in submitting

the lifetime certificates and considerable delay even in submitting the death certificate of late Shri Inder Singh.

Thereafter the time taken by the respondents was also very long i.e. the lifetime arrears in two parts were released only in November, 2014 and January, 2016. Such a long delay ought to have been avoided by the respondents. However, in addition to payment of interest by the respondents on the delayed release of life time arrears as above, I do not find justification in the demand of the applicant for awarding damages of Rs.1 lakh as tort to him by the respondents for this delay. Instead, it will be more appropriate for the respondents to fix responsibility for this long delay in terms of disciplinary proceedings on the concerned persons who processed the case of release of lifetime arrears of late Shri Inder Singh.

4(k). In view of the above analysis, the following order is issued.

The O.A. is partly allowed. The claim of the applicant for upward revision of amount of pension from 01.01.1996 of late Shri Inder Singh from Rs.6000/- per month to Rs.6178/- per month is rejected.

The demand of the applicant for payment of damages of Rs.1 lakh for negligence of respondents in processing the lifetime arrears of late Shri Inder

Singh is also rejected. However, the respondents are directed to fix responsibility for the long delay through disciplinary proceedings on the concerned persons who processed the case of lifetime arrears of late Shri Inder Singh. This exercise should be completed within four months of receipt of copy of this order.

However, for the long delay in processing and payment of lifetime arrears of late Shri Inder Singh, the respondents are directed to pay interest to the applicant @ 8% per annum on the arrears of Rs.87,655/- and Rs.1,46,595/- from November, 2003 till January, 2016.

(Dr. Bhagwan Sahai)
Member (A).

H.

JD
28/01/20